Appl. No. 09/943,722 Amdt. dated September 22, 2003 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

## Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

## **Listing of Claims:**

Claims 1-45 (canceled).

Claim 46 (currently amended): A synthetic gene encoding a <u>HIV-1 gag or HIV-1 env</u> protein normally expressed in an eukaryotic cell wherein at least one rarely-used or less preferred codon in a natural gene encoding said protein has been replaced by a preferred codon encoding the same amino acid, and wherein said rarely-used or less preferred codon contains an inhibitory/instability region, said synthetic gene expressing said protein at a level which is higher than that expressed by said natural gene in an in vitro mammalian cell culture system under identical conditions.

Claim 47 (previously presented): An expression vector comprising the synthetic gene of claim 46.

Claim 48 (previously presented): A mammalian cell comprising the synthetic gene of claim 47.

Claim 49 (previously presented): A method for preparing a synthetic gene encoding a protein normally expressed by mammalian cells, comprising identifying rarely-used and less-preferred codons containing an inhibitory/instability region in the natural gene encoding said protein and replacing one or more of said rarely-used or less-preferred codons with a preferred codon encoding the same amino acid as the replaced codon, so that a synthetic gene is prepared.